

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CASAS, BENJAMIN & WHITE, LLC

Plaintiff,

v.

Docket No: 1:04-CV-12333-MEL

THE POINTE GROUP, INC., a
Massachusetts corporation d/b/a The Pointe
Group Healthcare and Senior Living;
GERALD S. FREID; BARRY FREID; KEY
CORPORATE CAPITAL, INC.,

Defendants.

**ASSENTED-TO MOTION FOR EXTENSION OF TIME FOR DEFENDANT
KEY CORPORATE CAPITAL, INC. TO RESPOND TO AMENDED COMPLAINT**

The Defendant Key Corporate Capital, Inc. ("Key Corporate"), with the assent of the Plaintiff, Casas, Benjamin & White, LLC, hereby requests that this Court extend its time to file an Answer or otherwise respond to the above-captioned Complaint until on or before December 10, 2004. As grounds for this motion, Key Corporate states that its counsel, Nixon Peabody, LLP, was recently retained to represent its interests in this matter and needs additional time to become familiar with the facts and legal issues. Plaintiff assents to the filing of this motion. No prejudice will result to any of the parties as a result of granting this Motion.

WHEREFORE Key Corporate Capital, Inc. requests that the Court:

- (a) Extend its time to Answer or otherwise respond to the Amended Complaint to December 10, 2004; and
- (b) Grant such other relief as the Court deems equitable.

Dated: November 23, 2004

Respectfully submitted,

KEY CORPORATE CAPITAL, INC.

By its attorneys

NIXON PEABODY LLP

/s/Courtney Worcester
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CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2004, a copy of the foregoing Assented-To Motion for Extension of Time for Defendant Key Corporate Capital, Inc. to Respond to Amended Complaint was filed electronically. Notice of this filing will be sent to all parties in this case by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Courtney Worcester
Courtney Worcester